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9 Attorneys for Respondent

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 **ALY TAMBOURA,**

Petitioner,

15 **v.**

16 **ROBERT L. AYERS, Warden,**

Respondent.

C 08-1143 JF (PR)

19 **RESPONDENT'S EX PARTE APPLICATION FOR FIRST EXTENSION OF TIME**  
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Petitioner,

14  
15 v.

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Respondent.

C 08-1143 JF (PR)

**RESPONDENT'S EX PARTE  
APPLICATION FOR FIRST  
EXTENSION OF TIME**

19 Respondent respectfully requests that this Court grant a sixty (60) day extension of time,  
20 to and including August 30, 2008, to file the answer in this case. Respondent has made no prior  
21 request for an extension of time.

22 As set forth in the accompanying Declaration of Counsel, counsel for respondent needs  
23 sixty (60) days to complete and file the answer. Respondent does not believe petitioner will be  
24 prejudiced by this request.

1           Wherefore, respondent respectfully requests that this Court grant this application for an  
2 extension of time.

3           Dated: June 30, 2008

4                           Respectfully submitted,

5                           EDMUND G. BROWN JR.  
6                           Attorney General of the State of California

7                           DANE R. GILLETTE  
8                           Chief Assistant Attorney General

9                           GERALD A. ENGLER  
10                          Senior Assistant Attorney General

11                          PEGGY S. RUFFRA  
12                          Supervising Deputy Attorney General

13                          /s/ Joan Killeen  
14                          JOAN KILLEEN  
15                          Deputy Attorney General  
16                          Attorneys for Respondent  
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11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 **ALY TAMBOURA,**

Petitioner,

15 **v.**

16 **ROBERT L. AYERS, Warden,**

Respondent.

C 08-1143 JF (PR)

19 **DECLARATION OF COUNSEL IN SUPPORT OF RESPONDENT'S EX PARTE**  
20 **APPLICATION FOR FIRST EXTENSION OF TIME**  
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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 **ALY TAMBOURA,**

Petitioner,

15 v.

16 **ROBERT L. AYERS, Warden,**

Respondent.

C 08-1143 JF (PR)

**DECLARATION OF  
COUNSEL IN SUPPORT OF  
RESPONDENT'S EX PARTE  
APPLICATION FOR FIRST  
EXTENSION OF TIME**

19 I, Joan Killeen, declare under penalty of perjury that:

20 I am a Deputy Attorney General of the State of California and am admitted to practice law  
21 in this state and before this Court. I have been assigned to represent respondent and to prepare the  
22 answer in this case. Respondent has made no previous request for an extension of time.

23 On May 2, 2008, this Court issued an Order to Show Cause, directing respondent to file  
24 an answer to the petition for writ of habeas corpus within sixty days.

25 I request an additional sixty days from the present due date to prepare and file the answer.  
26 This request is not made for the purpose of delay. In the past sixty days, I filed the answers to the  
27 petitions for writ of habeas corpus in *Cruz v. Subio*, C 07-4329 JSW, and *Hawkins v. Dexter*, C 08-

I have not contacted petitioner in this case because he is a state prisoner proceeding pro se.

/s/ Joan Killeen  
JOAN KILLEEN  
Deputy Attorney General

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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 **ALY TAMBOURA,**

12 Petitioner,

13 v.

14 **ROBERT L. AYERS, Warden,**

15 Respondent.  
16

C 08-1143 JF (PR)

**[PROPOSED] ORDER GRANTING  
FIRST EXTENSION OF TIME TO  
FILE ANSWER**

17 GOOD CAUSE APPEARING, respondent is granted an additional sixty (60) days to and  
18 including August 30, 2008, to file an answer to the petition for writ of habeas corpus. Petitioner may  
19 file a reply within (30) days after the answer has been filed and served.

20 DATED: \_\_\_\_\_  
21

22 \_\_\_\_\_  
23 JEREMY FOGEL  
24 UNITED STATES DISTRICT JUDGE  
25  
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**DECLARATION OF SERVICE**

Case Name: **Tamboura v. Ayers, Warden**

No.: **C 08-1143 JF (pr)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the Bar of this Court at which member's direction this service is made. I am 18 years of age or older and not a party to the within entitled cause; I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On **July 1, 2008**, I placed the attached **1) RESPONDENT'S EX PARTE APPLICATION FOR FIRST EXTENSION OF TIME; 2) DECLARATION OF COUNSEL IN SUPPORT OF RESPONDENT'S EX PARTE APPLICATION FOR FIRST EXTENSION OF TIME; and 3) [PROPOSED] ORDER GRANTING FIRST EXTENSION OF TIME TO FILE ANSWER** in the internal mail collection system at the Office of the Attorney General, 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102, for deposit in the United States Postal Service that same day in the ordinary course of business, in a sealed envelope, postage thereon fully prepaid, addressed as follows:

Aly Tamboura  
F-17843  
San Quentin State Prison  
P. O. Box 4999  
San Quentin, CA 94974

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **July 1, 2008**, at San Francisco, California.

L. SORENSEN

Typed Name

/s/ L. Sorensen

Signature